

DARBY &  
DARBY  
Professional Corporation

NEW YORK  
7 World Trade Center  
250 Greenwich Street  
New York, NY 10007-0042  
Tel: 212.527.7700  
Fax: 212.527.7701

NEW YORK  
SEATTLE  
WASHINGTON, D.C.  
FRANKFURT

## INTELLECTUAL PROPERTY LAW

DATE: June 11, 2007

FILE #: 05986/100M536-US1

FACSIMILE NO.	RECIPIENT AND COMPANY	CONFIRMATION WILL FOLLOW
571-273-0459	PCT Legal Dept Patent & Trademark Office	No

FROM: Julian A. Williams E-MAIL: [jwilliams@darbylaw.com](mailto:jwilliams@darbylaw.com)

PHONE: 917.286.2940

NO. OF PAGES: 72  
(including cover page)

COMMENTS:

Three request for corrected filing Receipt

RECEIVED  
11 JUN 2007  
Legal Staff  
International Division

**PLEASE RETURN TO JULIAN A. WILLIAMS**

\* IF YOU DO NOT RECEIVE ALL PAGES, PLEASE TELEPHONE US IMMEDIATELY AT 212.527.7774

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE ADDRESSEE OF THE MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE SO THAT WE CAN ARRANGE FOR THE RETURN OF THIS DOCUMENT AT NO COST TO YOU. THANK YOU.

W:\jaw\misc\01118919.DOC

## CERTIFICATE OF EXPRESS MAILING UNDER 37 CFR 1.10

Express Mail, Airbil No.

I hereby certify that on the date indicated below, this paper was deposited with the U.S. Postal Service and that it was addressed for delivery to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 by "Express Mail Post Office to Addressee" service.

PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00 OR CREDIT ANY EXCESS IN THE FEES DUE WITH THIS DOCUMENT TO OUR DEPOSIT ACCOUNT NO. 04 - 0100

Date

Name

Signature

Customer No.: 07278

Docket No.: 05986/100M536-US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Thomas Wisniewski et. al.

Serial No.: 10/558,276

Filed: November 18, 2005

For: MUCOSAL IMMUNIZATION TO PREVENT PRION INFECTION

RECEIVED  
11 JUN 2007  
Legal Staff  
International Division

-----

REQUEST FOR CORRECTED FILING RECEIPT  
AND NOTICE OF ACCEPTANCE

Commissioner of Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

1. Attached are copies of the official filing receipt and Notice of Acceptance received from the PTO in the above application for which issuance of a corrected filing receipt and Notice of Acceptance is respectfully requested.
2. There is an error with respect to the following data, which is:

- ☐ incorrectly entered and/or
- ☒ omitted.

**Error in****Omitted data**

- ☐ Applicant's name  
☐ Applicant's address  
☐ Title  
☐ Filing Date  
☐ Application Number  
☒ Domestic Priority data as  
claimed by applicant  
  
☒ Notice of Acceptance -  
Priority Date

This Application is a 371 of PCT/US04/16242  
05/20/2004 and claims benefit of 60/472,262  
5/20/2003

05/20/2003

**REMARKS**

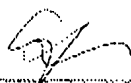
The from the Filing Receipt and Notice of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.495. Enclosed please find a copy of the Application Data Sheet.

Marked up copies of the Filing Receipt and Notice of Acceptance are also enclosed.

The Commissioner is respectfully requested to issue new and correct Filing Receipt and Notice of Acceptance documents.

Respectfully submitted,

Dated: December 14, 2006

  
\_\_\_\_\_  
Flynn Barrison  
Reg. No. 53,970  
Agent for Applicant(s)

DARBY & DARBY P.C.  
P.O. Box 5257  
New York, New York 10150-5257  
212-527-7700



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address EXAMINING DIVISION FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO	FILING OR 371 (c) DATE	ART UNIT	FILED REC'D	AITY DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/558,276	11/18/2005	1648	1050	05986/100M536-US1	5	50	3

CONFIRMATION NO. 3691

07278

DARBY &amp; DARBY P.C

P. O. BOX 5257

NEW YORK, NY 10150-5257

## FILING RECEIPT



\*0000000021525980\*

Date Mailed: 12/08/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Thomas Wisniewski, Staten Island, NY;  
 Einar M. Sigurdsson, New York, NY;  
 Jose A. Chabalgoity, Montevideo, URUGUAY;  
 Fernando R. Goni, Montevideo, URUGUAY;  
 Blas Frangione, New York, NY;

## Assignment For Published Patent Application

New York University, New York, NY

Power of Attorney: The patent practitioners associated with Customer Number 07278.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US04/16242 05/20/2004

## Foreign Applications

If Required, Foreign Filing License Granted: 12/07/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/558,276**

Projected Publication Date: 03/15/2007

Non-Publication Request: No

Computer                       
 D&D Entry                       
 Looseleaf                       
 Folder                       
 Card                       
 Letter                       
 Foreign Filing

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

**Title**

Mucosal immunization to prevent prion infection

**Preliminary Class**

435

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158)

### LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

#### GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier

license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 181 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: MAILING CENTER FOR PATENTS  
P.O. Box 1400  
Alexandria, Virginia 22304-1400  
www.uspto.gov

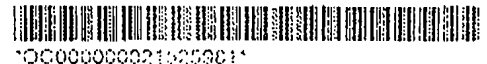
U.S. APPLICATION NUMBER NO. 10:558,276	FIRST NAMED APPLICANT Thomas Wisniewski <i>TO: Williams</i>	ATTY. DOCKET NO. 05986/100A1536-US1
INTERNATIONAL APPLICATION NO. PCT/US04/16242		LA FILING DATE 05/20/2004
PRIORITY DATE		

07278  
DARBY & DARBY P.C.  
P. O. BOX 5257  
NEW YORK, NY 10150-5257

APPLY RECEIVED  
DATE: \_\_\_\_\_

CONFIRMATION NO. 3691

371 ACCEPTANCE LETTER



\*0000000021525961\*

Date Mailed: 12/08/2006

**NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495**

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

11/18/2005	11/20/2006
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received

- Indication of Small Entity Status
- Copy of the International Application filed on 11/18/2005
- Copy of the International Search Report filed on 11/18/2005
- Preliminary Amendments filed on 11/18/2005
- Information Disclosure Statements filed on 11/18/2005
- Biochemical Sequence Diskette filed on 11/18/2005
- Oath or Declaration filed on 11/18/2005
- Biochemical Sequence Listing filed on 11/18/2005
- U.S. Basic National Fees filed on 11/18/2005
- Assignment filed on 11/18/2005
- Specification filed on 11/18/2005

- Claims filed on 11/18/2005
- Abstracts filed on 11/18/2005
- Drawings filed on 11/18/2005
- Paper nucleotide sequence listings filed on 11/18/2005

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

---

TAMALA D HOLLAND

Telephone: (703) 308-9140 EXT 209

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)



**Application Data Sheet****Application Information**

Application Type::	Regular
Subject Matter::	Utility
Suggested Group Art Unit::	N/A
CD-ROM or CD-R?::	None
Sequence submission?::	Paper
Computer Readable Form (CRF)?::	Yes
Number of copies of CRF::	1
Title::	MUCOSAL IMMUNIZATION TO PREVENT PRION INFECTION
Attorney Docket Number::	05986/100M536-US1
Request for Early Publication?::	No
Request for Non-Publication?::	No
Suggested Drawing Figure::	1
Total Drawing Sheets::	5
Small Entity?::	Yes
Petition included?::	No
Secrecy Order in Parent Appl.?::	No

**Applicant Information**

Applicant Authority Type::	Inventor
Primary Citizenship Country::	US
Status::	Full Capacity
Given Name::	Thomas
Family Name::	Wisniewski
City of Residence::	Staten Island
State or Province of Residence::	NY
Country of Residence::	US
Street of mailing address::	86 Ward Avenue
City of mailing address::	Staten Island
State or Province of mailing address::	NY
Postal or Zip Code of mailing address::	10304

Applicant Authority Type:: Inventor  
Primary Citizenship Country:: Iceland  
Status:: Full Capacity  
Given Name:: Einar  
Middle Name:: M.  
Family Name:: Sigurdsson  
City of Residence:: New York  
State or Province of Residence:: NY  
Country of Residence:: US  
Street of mailing address:: 131 East 93rd Street, Apt. 5C  
City of mailing address:: New York  
State or Province of mailing address:: NY  
Postal or Zip Code of mailing address:: 10128

Applicant Authority Type:: Inventor  
Primary Citizenship Country:: Uruguay  
Status:: Full Capacity  
Given Name:: Jose  
Middle Name:: Alejandro  
Family Name:: Chabalgoity  
City of Residence:: Montevideo Cp  
Country of Residence:: Uruguay  
Street of mailing address:: Mac Eachen 1426  
Ap 101  
City of mailing address:: Montevideo Cp  
Country of mailing address:: Uruguay  
Postal or Zip Code of mailing address:: 11600

Applicant Authority Type:: Inventor  
Primary Citizenship Country:: Argentina  
Status:: Full Capacity  
Given Name:: Fernando  
Middle Name:: R.  
Family Name:: Goni

City of Residence:: Montevideo Cp  
Country of Residence:: Uruguay  
Street of mailing address:: Bvar Espana 2904 Ap 901  
City of mailing address:: Montevideo Cp  
Country of mailing address:: Uruguay  
Postal or Zip Code of mailing address:: 11300

Applicant Authority Type:: Inventor  
Primary Citizenship Country:: US  
Status:: Full Capacity  
Given Name:: Blas  
Family Name:: Frangione  
City of Residence:: New York  
State or Province of Residence:: NY  
Country of Residence:: US  
Street of mailing address:: 330 East 38th Street, Apt. 35B  
City of mailing address:: New York  
State or Province of mailing address:: NY  
Postal or Zip Code of mailing address:: 10016

**Correspondence Information**

Correspondence Customer Number:: 07278

**Representative Information**

Representative Customer Number:: 07278

**Domestic Priority Information**

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This Application	National Stage of	PCT/US04/16242	05/20/04
PCT/US04/16242	An application claiming the benefit under 35 USC 119(e)	60/472,262	05/20/03

**Foreign Priority Information****Assignee Information**

Assignee name:: New York University  
Street of mailing address:: 70 Washington Square South  
City of mailing address:: New York  
State or Province of mailing address:: NY  
Postal or Zip Code of mailing address:: 10012